

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

CHARLES HARDEN,

Petitioner,

Case No. 3:06-cv-349

-vs-

District Judge Walter Herbert Rice
Chief Magistrate Judge Michael R. Merz

STATE OF OHIO,

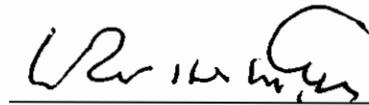
Respondent.

ORDER ADOPTING SUPPLEMENTAL REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #5), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on December 7, 2006, hereby ADOPTS said Supplemental Report and Recommendations.

It is therefore ORDERED that the Petition herein be dismissed with prejudice as barred by the statute of limitations.

December 19, 2006.



Walter Herbert Rice
United States District Judge